

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 3144

IN THE MATTER OF:

Served April 7, 1988

Application of ON-TIME AMERICAN)
TRANSPORT, INC., for Special)
Authorization to Conduct Charter)
Operations Pursuant to Contract)
with ANA Hallo Tours (U.S.A.), Inc.)

Case No. CP-88-04

By application filed April 4, 1988, On-Time American Transport, Inc. ("On-Time" or "applicant"), seeks authority pursuant to WMATC Special Certificate of Public Convenience and Necessity No. 1 to transport employees of All Nippon Airways and persons traveling on official business with All Nippon Airways in charter operations pursuant to contract with ANA Hallo Tours (U.S.A.), Inc. ("ANA"), a subsidiary of All Nippon Airways.

By its terms the contract extends from April 1, 1988, through the one-hundred eighty-third day after award of authorization pursuant to Special Certificate of Public Convenience and Necessity No. 1. ^{1/} The contract requires shuttle service between the Grand Hyatt Hotel, The Capital Hilton Hotel, the Westin Hotel, the Washington Hilton Hotel, the Sheraton Washington Hotel, Georgetown, Arlington, the Lincoln Memorial, the Jefferson Memorial, Alexandria, the Smithsonian Museums, Capitol Hill, and the Federal Bureau of Investigation (all points within the District of Columbia, with the obvious exceptions of Arlington and Alexandria, Va.). Service would be offered seven days a week between the hours of 8 a.m. and 5 p.m. Hours of operation may be reasonably varied at the discretion of ANA. The rates for this service would be \$33.30 an hour. The service would be performed in two 25-passenger vehicles. It is not clear from the application whether On-Time plans to purchase or lease the vehicles. If applicant plans to lease the vehicles, a contract of lease must be filed with the Commission. If applicant plans to purchase the vehicles, On-Time will be required to file complete information about the new vehicles upon delivery, including vehicle inspection certificates.

With its application, On-Time's president submitted a statement attesting that he is familiar with the terms of the Compact and Commission rules and regulations and will comply with them, that applicant has not been found unfit by any regulatory agency and is not under any fitness investigation.

^{1/} Applicant is presently performing service under the contract in 15-passenger vehicles pursuant to its Certificate No. 133.

Applicant's balance sheet dated March 26, 1988, indicates current assets of \$21,393 with fixed and other assets of \$22,720. Long-term liabilities of \$12,400 and equity of \$31,713 are shown. Applicant projects revenues generated from service provided under the contract of \$97,502, with operating expenses for the same period of \$74,163, yielding net income of \$23,339.

Inasmuch as a contract has been executed for the transportation of persons traveling on official business and for the transportation of employees pursuant to contract with their employer between points within the Metropolitan District for a period in excess of 181 days, the application appears amenable to processing under Commission Regulation No. 70. 2/ Consequently, notice of this application must be published and opportunity given for the filing of protests. Protests, if any, must be written, sworn, and notarized, and must contain all evidence and argument upon which protestant would rely.

ANA's general manager submitted an affidavit in support of the application stating that the service is a new one to be made available to airline employees and agents from tour companies associated with the airline. The general manager attests that he has reviewed applicant's insurance coverage, drivers' records, and financial statements and is satisfied that On-Time can perform the proposed service properly.

THEREFORE, IT IS ORDERED:

1) That On-Time American Transport, Inc., publish once in a newspaper of general circulation in the Metropolitan District, notice of this application in the form prescribed by the staff of the Commission no later than Thursday, April 14, 1988.

2) That On-Time American Transport, Inc., file with the Commission no later than Monday, April 25, 1988, the following: (a) an affidavit of publication of notice; (b) leases covering any vehicles not owned by applicant pursuant to Commission Regulation No. 69; and (c) certificates of registration and inspection pertaining to all vehicles to be used in the proposed service.

3) That any person desiring to protest this application shall file a notarized protest in conformance with Commission Regulation No. 70-06, at the office of the Commission, 1625 I Street, N.W., Suite 316, Washington, D.C. 20006-3051, no later than Monday, April 25, 1988, and shall simultaneously serve a copy of such protest on counsel for applicant, Peg Shaw, Esq., 2147 O Street, N.W., Suite 306, Washington, D.C. 20037.

FOR THE COMMISSION:



Annette B. Garofalo
Acting Executive Director

2/ See Order No. 2004, served June 20, 1979.